

301 R PCT/PTO 16 DEC 1999
09/446232

UNITED STATES PATENT AND TRADEMARK OFFICE

In RE APPLICATION OF:
Biggs, et al.

Serial No. : To Be Assigned
Filed: Herewith

For: SMOKING ARTICLE AND SMOKING
ARTICLE MATERIAL THEREFOR

CERTIFICATE OF EXPRESS MAIL

THE UNDERSIGNED CERTIFIES THAT UP/SHE

TEL 411589337US S SED

PATENTS AND TRADEMARKS, BOX PCT,
ATTN: DO/EO/US, WASHINGTON, D.C. 20231

12/16/99 *Lynn Minton*

TRANSMITTAL COVER LETTER FOR U.S. NATIONAL STAGE UTILITY PATENT
APPLICATION FILING

Assistant Commissioner for Patents and Trademarks
BOX PCT
Attn: DO/EO/US
Washington, D.C. 20231

Dear Sir:

Enclosed please find:

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing under 35 U.S.C. 371;
2. Check No. 043614 in the amount of \$988.00 in payment of the filing fee and fee for the recording of the assignment;
3. Declaration for Utility Patent Application for the application of Biggs, et al. relation to PCT/GB98/01586;
4. A copy of the form PCT IB/308;
5. A First Preliminary Amendment;
6. An Information Disclosure Statement under 37 CFR 1.97 and 1.98, including copies of prior art;
7. An Assignment Document for recording, including cover sheet;
8. A return postcard evidencing receipt of above items.

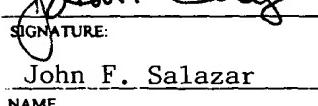
Please process the enclosed items.

Very truly yours,

Lynn Minton
Lynn Minton, Paralegal
for John F. Salazar, Reg. No. 39,353
MIDDLETON & REUTLINGER
2500 Brown & Williamson Tower
Louisville, Kentucky 40202
(502) 584-1135

Date: March 11, 1999

FORM PTO-1390 (REV 11-98)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER
				BW-398-2
				U.S. APPLICATION NO. (if known) see 37 CFR 1.5)
				09/446232
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				PRIORITY DATE CLAIMED
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE		19 JUNE 97 (19.06.97)	
PCT/GB98/01586	29 MAY 1998 (29.05.98)			
TITLE OF INVENTION SMOKING ARTICLE AND SMOKING ARTICLE MATERIAL THEREFOR				
APPLICANT(S) FOR DO/EO/US BIGGS, Philip J.; GILBERT, Richard T.; MCADAM, Kevin G.; NATARAJAN, Bhasker				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). <input checked="" type="checkbox"/> has been transmitted by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been transmitted by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 				
Items 11. to 16. below concern document(s) or information included:				
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A change of power of attorney and/or address letter. <input checked="" type="checkbox"/> Other items or information: PCT (Form PCT/IB/308) – Notice Informing the Applicant of the Communication of the International Application to the Designated Offices; 				
Return Postcard evidencing receipt of above items.				

U.S. APPLICATION NO. known as 37 CFR 1.5 097446232		INTERNATIONAL APPLICATION NO. PCT/GB98/01586	ATTORNEY'S DOCKET NUMBER BW-398-2
17. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :			
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$970.00			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$760.00			
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00			
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00			
ENTER APPROPRIATE BASIC FEE AMOUNT = \$			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	26 - 20 =	6	X \$18.00 \$ 108.00
Independent claims	3 - 3 =	0	X \$78.00 \$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+\$260.00 \$	
TOTAL OF ABOVE CALCULATIONS = \$			
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28). \$			
SUBTOTAL = \$			
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). \$			
TOTAL NATIONAL FEE = \$			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$ 40.00			
TOTAL FEES ENCLOSED = \$ 988.00			
		Amount to be: refunded	\$
		charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ 988.00 to cover the above fees is enclosed.			
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.			
c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO:			
John F. Salazar			
Middleton & Reutlinger			
2500 Brown & Williamson Tower			
Louisville, Kentucky 40202			
 SIGNATURE: _____ John F. Salazar _____ NAME _____			
39,353 _____ REGISTRATION NUMBER _____			